

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) JUDGE CARTER
vs.)
) Mag. No. 1-09-MJ-429
ABRAHAM A. AUGUSTIN)

MEMORANDUM AND ORDER

In accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure and in accordance with the Bail Reform Act, 18 United States Code § 3142(f), the preliminary hearing and detention hearing were held in this action on December 10, 2009. Those present included:

- (1) AUSA Perry Piper for the United States of America.
- (2) The defendant, ABRAHAM A. AUGUSTIN.
- (3) Attorney Anthony Martinez for defendant.
- (4) FBI Agent Wayne Jackson.
- (5) Deputy Clerk Kelli Jones.

Upon being sworn the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

AUSA Piper moved the court for an order detaining the defendant. The defendant waived his detention hearing, reserving the right to ask for a detention hearing at a later date.

Preliminary Hearing - Proof

AUSA Piper called FBI Agent Wayne Jackson as a witness. He testified to the facts outlined in the affidavit attached to the criminal complaint.

Findings

Having heard and considered the testimony of the Agent Jackson during the preliminary hearing and the sworn Affidavit/Complaint, the undersigned finds:

- (1) There is probable cause to believe that there have been violations of 18 U.S.C. § 1201, kidnapping; 18 U.S.C. § 924(c), possession of a firearm in furtherance of a crime of violence; and 18 U.S.C. § 922(g), felon in possession of a firearm, committed in the Eastern District of Tennessee.

(2) There is probable cause to believe the defendant committed the aforesaid offenses.

Conclusions

It is therefore ORDERED:

- (1) The defendant is DETAINED without bail.
- (2) The defendant is held to answer the charges against him in the District Court.
- (2) The defendant's next appearance shall be before the undersigned at **10:30 a.m. on Tuesday, January 5, 2010.**

ENTER.

Dated: December 14, 2009

/William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE